

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC SHIBLEY,

Defendant/Judgment Debtor,

and

SSK INVESTMENTS, LLC,

Garnishee.

NO. 2:22-MC-00073-RSL

(2:20-CR-00174-JCC-1)

Continuing Garnishment Order

A Writ of Continuing Garnishment, directed to Garnishee SSK Investments, LLC has been duly issued and served upon the Garnishee. Pursuant to the Writ, Garnishee SSK Investments, LLC filed its Answer on October 3, 2022, establishing that it has possession, custody, or control of property in which Defendant/Judgment Debtor Eric Shibley (Mr. Shibley) has an interest, namely \$1,100,000 due under a Promissory Note. Doc. no. 6 at

3. SSK Investments' payment to Mr. Shibley is due in monthly installments of \$220,000, with payment in full due by November 30, 2022. *Id.*

After notification that the garnishment proceeding was mailed to Mr. Shibley and other potentially interested parties on or about September 21, 2022, no party has objected that the Writ attaches to exempt property or that the United States has failed to comply with statutory requirements. On December 1, 2022, the United States moved for entry of a Continuing Garnishment Order under 28 U.S.C. § 3205(c)(7) (the "Motion"). The Court has considered the Motion and any Response or Reply thereto.

Accordingly, for the reasons stated in the Motion, the Court grants the Motion. Capitalized terms in this Order have the same definitions they are given in the Motion. The Court orders as follows:

The Garnishee, SSK Investments, LLC, shall immediately disburse its \$1.1 million payment under the Promissory Note, as follows:

- \$66,000 to Cheri Westphal of CW Realty Group;
- \$30,000 to Paul Barrera of North City Law, PC;
- \$60,484.44 to Mr. Shibley's outstanding child support obligation if the Continuing Garnishment Order is entered by December 31, 2022, plus \$2,359.97 if the Continuing Garnishment Order is entered in January 2023, via check payable to Washington State Support Registry, referencing account number IN 6080460 on the check's memo line, and mailed to:

Washington State Support Registry
P.O. Box 45868
Olympia, WA 98504-5868

- All remaining funds to the United States District Court, Western District of Washington, to be applied to Mr. Shibley's criminal

judgment in Case No. 2:20-CR-00174-JCC, via check payable to U.S. District Court, Western District of Washington, referencing Case Nos. 2:20-CR-00174-JCC-1 and 2:22-MC-00073-RSL on the check's memo line, and delivered personally or by First Class Mail to:

U.S. District Court, Western District of Washington
Attn: Financial Clerk – Lobby Level
700 Stewart Street
Seattle, Washington 98101

Cheri Westphal and Paul Barrera shall promptly furnish payment instructions to SSK Investments to facilitate the payments to them.

Consistent with the discharge provision of 28 U.S.C. § 3206, SSK Investments' compliance with the disbursement instructions in this Order shall discharge its payment obligations to Mr. Shibley under the Promissory Note and Deed of Trust. After SSK Investments makes all payments required by this Order, the Promissory Note shall be deemed paid in full, and such payment shall operate as a matter of law as a request for full reconveyance of the Deed of Trust authorizing the trustee under the Deed of Trust to issue and record a full reconveyance in the records of the King County Recorder.

Dated this 21st day of December, 2022.



Robert S. Lasnik
United States District Judge

Presented by:

s/ Kyle A. Forsyth
KYLE A. FORSYTH, WSBA #34609
Assistant United States Attorney